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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/504,070

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Terada Masayuki

10746/16

7453

26646

7590

04/27/2006

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EXAMINER

LIPMAN, JACOB

ART UNIT

PAPER NUMBER

2134

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/504,070

Applicant(s)

MASAYUKI ET AL.

Examiner

Jacob Lipman

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 72-87, 89, 91, 92, 94, 96--107 and 109-116 is/are pending in the application.
- 4a) Of the above claim(s) 72-85 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 86, 87, 89, 91, 92, 94, 100, 101, 103--107 and 113-116 is/are allowed.
- 6) ☒ Claim(s) 96-99, 102 and 109-112 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 96-99, 102, and 109-112, are rejected under 35 U.S.C. 103(a) as being unpatentable over Menezes.

With regard to claims 96, 99, 102, and 109, Menezes discloses passing a message from apparatus to apparatus can be authenticated as original by including a fingerprint identifying the original sender (pages 321-322). Menezes does not disclose in the same embodiment that it is desirable to authenticate all parties. Menezes discloses in another embodiment that it is desirable to authenticate parties with a known trusted certifying authority (page 559) and that when using certificates, timestamps (unique session data) should be sent and checked (page 560). It would have been obvious to one of ordinary skill in the art to authenticate transmitted data as well as the transmitter to increase security.

With regard to claims 97 and 110, Menezes discloses the original data circulation method, as outlined above, but does not disclose in the same embodiment that the information that is desirable to authenticate is a public key. Menezes discloses in another embodiment that it is desirable to authenticate public keys (page 559). It would

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have been obvious to one of ordinary skill in the art to conceal the public key with a fingerprint, so that it could be authenticated.

With regard to claims 98, 111, and 112, Menezes discloses that fingerprints are created by applying a hash to the data (pages 321-322).

Allowable Subject Matter

1. Claims 86, 87, 89, 91, 92, 94, 100, 101, 103--107 and 113-116 are allowed.
2. The following is an examiner's statement of reasons for allowance:

With regard to claims 86, 87, 89, 91, 92, 94, 100, 101, 103--107 and 113-116, Menezes discloses passing a message from apparatus to apparatus can be authenticated as original by including a fingerprint identifying the original sender (pages 321-322). Menezes does not disclose in the same embodiment that it is desirable to authenticate all parties. Menezes discloses in another embodiment that it is desirable to authenticate parties with a known trusted certifying authority (page 559). It would have been obvious to one of ordinary skill in the art to authenticate transmitted data as well as the transmitter to increase security. Menezes does not disclose deleting the stored session number if it matches. Further Menezes does not describe the features of sending the original data and the accredited information, and the use of the session information. These steps would not have been obvious to one of ordinary skill in the art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Jacqueline Kai Tague
JACQUELINE H. LOUIS-JONES
PRIMARY EXAMINER